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ACLU OF RI POSITION: OPPOSE

TESTIMONY ON 25-H 5437, RELATING TO CRIMINAL OFFENSES – JAILS AND PRISONS April 1, 2025

This bill would make it a crime, punishable by ten years in prison, for any juvenile in the custody of either the Training School or a juvenile program worker to convey to another person *any* article without DCYF approval, or for any person to convey to the juvenile in custody any article without DCYF approval. The ACLU of Rhode Island urges rejection of this legislation.

By its very name, the Training School is purportedly quite different from a prison. In many contexts, we have heard state officials emphasize this point and the more open, rehabilitative nature of the facility. Yet this bill would impose on juveniles the same draconian penalties that apply to a person at the ACI's High Security facility who conveys any type of "contraband" to another person. It doesn't matter whether it is a piece of paper or a stick of gum; a juvenile could face ten years in prison for doing this.

If the Training School truly is a rehabilitative institution designed to address the special circumstances surrounding juveniles, any criminal penalties relating to the unlawful conveyance of contraband should be limited to serious types of contraband, such as weapons or drugs. Any penalties should also take into account the age of the individuals involved. By mirroring the severe penalties applicable to "hardened criminals" at the ACI, this bill only reinforces the notion that the Training School is more like a prison than most people would like to claim.

The ACLU urges rejection of this legislation. Thank you for considering our views.